

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

LEONARD L. CHATMAN,

Plaintiff(s),

vs.

LAS VEGAS METRO POLICE DEPT., et al.,

Defendant(s).

Case No. 2:16-cv-00014-JCM-NJK

REPORT AND
RECOMMENDATION

Plaintiff is proceeding in this action *pro se*. Because the Court granted Plaintiff's request to proceed *in forma pauperis*, the Court screened the complaint pursuant to 28 U.S.C. § 1915. Docket No. 2. The Court found that Plaintiff's complaint was deficient. *Id.* at 2-3. As a result, the Court dismissed Plaintiff's complaint and granted Plaintiff leave to amend the complaint, requiring that an amended complaint be filed no later than May 20, 2016. *Id.* at 3. The Court indicated that "[f]ailure to comply with this Order will result in the recommended dismissal of this case without prejudice." *Id.* at 4. To date, the Court has not received an amended complaint or any request to extend the deadline for filing one.

Plaintiff's case is also subject to dismissal because he has failed to update his address with the Court. *See* Docket Nos. 4, 5; *see also* Local Special Rule 2-2.

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1 Accordingly, the undersigned **RECOMMENDS** that this case be **DISMISSED** without
2 prejudice.

3 DATED: December 27, 2016

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5 NANCY J. KOPPE
United States Magistrate Judge

6 **NOTICE**

7 Pursuant to Local Rule IB 3-2, any objection to this Report and Recommendation must be
8 in writing and filed with the Clerk of the Court within fourteen (14) days. The Supreme Court has
9 held that the courts of appeal may determine that an appeal has been waived due to the failure to file
10 objections within the specified time. *Thomas v. Arn*, 474 U.S. 140, 142 (1985). This circuit has also
11 held that (1) failure to file objections within the specified time and (2) failure to properly address and
12 brief the objectionable issues waives the right to appeal the District Court's order and/or appeal
13 factual issues from the order of the District Court. *Martinez v. Ylst*, 951 F.2d 1153, 1157 (9th Cir.
14 1991); *Britt v. Simi Valley United Sch. Dist.*, 708 F.2d 452, 454 (9th Cir. 1983).

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